



12-0803

AF/1600

Docket No. 1151-4153US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Chang Yi WANG et al

Group Art Unit: 1644

Serial No.: 09/701,623

Examiner: Huynh, Phuong N., Ph.D.

Filed: June 21, 1999

For: PEPTIDE COMPOSITION AS IMMUNOGEN FOR THE TREATMENT
OF ALLERGY

EXPRESS MAIL CERTIFICATE

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I hereby certify that the following attached paper(s) and/or fee

1. Summary of Record Interview under 37 CFR 1.133;
2. Return postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan Shen

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(Signature of person mailing paper(s) and/or fee)

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SUMMARY OF RECORD OF INTERVIEW
PURSUANT TO 37 C.F.R. §1.133

Sir:

This is to summarize the record of the interview conducted by telephone on November 21, 2003 to comply with 37 C.F.R. §1.133. The participants of the interview were Christina Chan, Supervisory Examiner, and the applicant's representative, the undersigned. The time spent in the preparation of the interview and the interview itself, especially when it was done after working hours, and the kind courtesy extended by the Examiner's Supervisor is deeply appreciated.

No exhibits were presented at the interview. All of the issues raised by the Examiner in the office action dated August 27, 2003 were discussed. The following issues were resolved.

1. To overcome the rejection under §112, first and second paragraph, Claim 29 is to be rewritten without using the term "AA413-AA435 of the epsilon heavy chain of a mammalian IgE". This is to be replaced by the wording used in originally filed claim 1:

An IgE-CH3 domain antigen peptide of between about 25 and about 29 amino acids in length containing two cysteine residues separated by about 23 amino acids residues, selected from the group consisting of SEQ ID NO: 5, SEQ ID NO: 6, SEQ ID NO: 7, SEQ ID NO: 8, and SEQ ID NO: 84, or an immunologically functional analog thereof, wherein from one to four of the residues in SEQ ID NO: 5 is conservatively substituted or deleted.

The recital of an immunologically functional analog of the recited sequences with one to four conservative substitutions or deletions is acceptable.

2. The restriction requirement is accepted to expedite allowance.

The remaining issue of the effective date of the present application is to be argued by presenting evidence showing that the applicant is entitled to the filing date of the parent application Serial No. 09/100,287 as stated on the Filing Receipt.

Respectfully submitted,

Dated: December 5, 2003



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